

**BARBERING & COSMETOLOGY EXAMINING BOARD
MINUTES
MADISON, WISCONSIN
FEBRUARY 1, 1999**

PRESENT: Bruce Bennett, John Fahey, Barbara Flaherty, Leon Lauer, Marvile Martin, Dr. Toni Ann Palermo, Danny Trotter

EXCUSED: Yvonne Davis, Joyce Haugestuen

STAFF PRESENT: Secretary Marlene Cummings, Deputy Secretary June Suhling, Alfred Hall, Jr., Judy Mender, William Dusso, Darwin Tichenor, and Division of Enforcement Staff were present for portions of the meeting.

CALL TO ORDER

The meeting was called to order at 9:30 a.m. by John Fahey, Chair, upon confirmation that the public notice was timely given. A quorum of seven members was present.

AGENDA

MOTION: Danny Trotter moved, seconded by Marvile Martin, to approve the agenda as published. Motion carried unanimously.

MINUTES (12/7/1998)

MOTION: Danny Trotter moved, seconded by Marvile Martin, to approve the minutes as written. Motion carried unanimously.

ADMINISTRATIVE REPORT

Secretary Cummings' Report

- Secretary Cummings explained the Timelines in the Enforcement Complaint Handling Process to the Board members. She explained that the policy identifies a period, in days, for processing complaint through each step of the complaint handling process and describes the steps that will be taken if handling a complaint is not completed in the prescribed time. These timelines apply to both department and board members. The policy covers all complaints received after February 1, 1999.

The Timelines Policy itself was an important achievement of many contributors, especially the Ad Hoc Enforcement Advisory Committee.

- Deputy Secretary June Suhling was introduced.

Bureau Director's Report

- The revised dates for the screening panel (July 12th and September 13th) were noted.

- **Regulatory Digest**

A draft of the Regulatory Digest will be distributed.

- **To Pass Folder**

Information was circulated in the To Pass Folder and duly noted.

PRACTICE ISSUES

None.

LEGISLATIVE UPDATE

Proposed Remedial Legislation re: Education Requirements:

Several members asked why a minimum and maximum number of weeks of training is required for an individual trained in a school located outside this state. Bill Dusso explained the drafter was just keeping the requirement the same for in-state and out-state training. The Board would like to omit the requirement.

ADMINISTRATIVE RULES

None.

APPRENTICESHIP PROGRAM

Request for Extension of Time to Complete Theory Hours, 12/3/98, Shauer

Kathy Schauer informed the Board the apprentice is no longer in school. Therefore, no action was needed by the Board.

EXAMINATION ISSUES

- The schedule of the 1999 Examination Test Dates was noted.
- The contract with Continental Testing Services Inc. has been renewed until 2/2002.

DIVISION OF ENFORCEMENT

Nothing to report.

BOARD MEMBER ACTIVITY

Alfred Hall shared the resignation letter from Yvonne Davis.

MISCELLANEOUS CORRESPONDENCE/INFORMATION

The Board was given copies of two letters: (1) Richard B. Rosenberg, President of RBR Productions Inc. relating to EPA registered hospital and tuberculocidal products; (2) Karen Morgan, Director at the Department of Workforce Development, addressed to Kathy Schauer at WCTC, relating to the monitoring of the 32 hours per week an apprentice is required to work in a salon.

NEW BUSINESS

None.

RECESS TO CLOSED SESSION

MOTION: Danny Trotter moved, seconded by Leon Lauer, to convene the meeting in Closed Session pursuant to Sections 19.85(1)(a), (b), and (f), Wis. Stats.: to consider the licensing or discipline of a person licensed by the Board or the investigation of charges against such a person. Specifically, to discuss the issue of case status reports, case closings, monitoring issues, deliberation on stipulations that may be signed after printing of the agenda, deliberation on proposed disciplinary actions that may be signed after printing of agenda, pending applications, apprentice requests for transfer, requests for appeal of denial, hearings on denied applications, and examination issues, and to request Board member nominee, Lorraine Norem, be present as an active observer during Closed Session. Motion carried by a roll call vote: Bruce Bennett-yes; John Fahey-yes; Barbara Flaherty-yes; Leon Lauer-yes; Marvile Martin-yes; Dr. Toni Ann Palermo-yes; Danny Trotter-yes.

Open Session recessed at 10:35 a.m.

CLOSED SESSION

The Board received a copy of the case status report.

The Board deliberated on case closings, stipulations, and proposed disciplinary actions.

ADJOURN CLOSED SESSION

MOTION: Danny Trotter moved, seconded by Leon Lauer, to reconvene in Open Session at 11:35 a.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

CASE CLOSINGS

MOTION: Danny Trotter moved, seconded by Toni Palermo, to close 96BAC150 for PD P5. Motion carried unanimously.

MOTION: Leon Lauer moved, seconded by Barbara Flaherty, to close 98BAC117 for No Violation. Motion carried unanimously.

MOTION: Danny Trotter moved, seconded by Marvile Martin, to close 97BAC001 for PD-P5. Motion carried unanimously.

MOTION: Danny Trotter moved, seconded by Marvile Martin, to close 98BAC044 for PD-P5. Motion carried unanimously.

MOTION: Danny Trotter moved, seconded by Marvile Martin, to close 96BAC146 for PD-P5. Motion carried unanimously.

MOTION: Danny Trotter moved, seconded by Marvile Martin, to close 98BAC028 for PD-P2. Motion carried unanimously.

MOTION: Leon Lauer moved, seconded by Danny Trotter, to close 96BAC 104 (Your VIP Salon) for L2. Motion carried unanimously.

MOTION: Danny Trotter moved, seconded by Toni Palermo, to close 96BAC 104 (Beverly Hudson for PD-P5. Motion carried unanimously.

MOTION: Leon Lauer moved, seconded by Danny Trotter, to close 98BAC159 for AC. Motion carried unanimously.

STIPULATIONS

MOTION: Danny Trotter moved, seconded by Leon Lauer, to accept the Findings of Fact, Conclusions of Law and Order in the disciplinary matters involving Ngoc T. Cao dba Fancy Nails #2 (Janesville). Motion carried unanimously.

MOTION: Danny Trotter moved, seconded by Leon Lauer, to accept the Findings of Fact, Conclusions of Law and Order in the disciplinary matters involving Alfred J. Degen dba Southwest Barbering Center (Milwaukee). Motion carried unanimously.

MOTION: Danny Trotter moved, seconded by Leon Lauer, to accept the Findings of Fact, Conclusions of Law and Order in the disciplinary matters involving Sau Thi Dinh dba Long Nails Salon (Lake Geneva). Motion carried unanimously.

MOTION: Danny Trotter moved, seconded by Leon Lauer, to accept the Findings of Fact, Conclusions of Law and Order in the disciplinary matters involving Jacqueline Ivory dba My Salon II (Milwaukee). Motion carried unanimously.

MOTION: Danny Trotter moved, seconded by Leon Lauer, to accept the Findings of Fact, Conclusions of Law and Order in the disciplinary matters involving Mung T. Lu dba Roses Nails (Greenfield). Motion carried unanimously.

MOTION: Danny Trotter moved, seconded by Leon Lauer, to accept the Findings of Fact, Conclusions of Law and Order in the disciplinary matters involving Dung Anh Nguyen dba Nail City (Milwaukee). Motion carried unanimously.

MOTION: Danny Trotter moved, seconded by Leon Lauer, to accept the Findings of Fact, Conclusions of Law and Order in the disciplinary matters involving Hai John Anh Nguyen dba Fancy Nails (Janesville). Motion carried unanimously.

- MOTION: Danny Trotter moved, seconded by Leon Lauer, to accept the Findings of Fact, Conclusions of Law and Order in the disciplinary matters involving Lan T. Nguyen (West Allis). Motion carried unanimously.
- MOTION: Danny Trotter moved, seconded by Leon Lauer, to accept the Findings of Fact, Conclusions of Law and Order in the disciplinary matters involving Lanchi Q. Nguyen dba Fancy Nails #3 (Janesville). Motion carried unanimously.
- MOTION: Danny Trotter moved, seconded by Leon Lauer, to accept the Findings of Fact, Conclusions of Law and Order in the disciplinary matters involving Ngoc T. Livia Nguyen & Tina Nguyen dba Pro Nail Salon (Milwaukee). Motion carried unanimously.
- MOTION: Danny Trotter moved, seconded by Leon Lauer, to accept the Findings of Fact, Conclusions of Law and Order in the disciplinary matters involving Tuan A. Nguyen dba Fancy Nails #6 (Janesville). Motion carried unanimously.
- MOTION: Danny Trotter moved, seconded by Leon Lauer, to accept the Findings of Fact, Conclusions of Law and Order in the disciplinary matters involving Hoa Pham dba Fantassy Nails (Janesville). Motion carried unanimously.
- MOTION: Danny Trotter moved, seconded by Leon Lauer, to accept the Findings of Fact, Conclusions of Law and Order in the disciplinary matters involving Michelle D. Smith, Jr., dba Michelles Salon (Milwaukee). Motion carried unanimously.
- MOTION: Danny Trotter moved, seconded by Leon Lauer, to accept the Findings of Fact, Conclusions of Law and Order in the disciplinary matters involving Hanh Xuan Tran dba K Nails (Monona). Motion carried unanimously.
- MOTION: Danny Trotter moved, seconded by Leon Lauer, to accept the Findings of Fact, Conclusions of Law and Order in the disciplinary matters involving Ngoc T. Cao dba Rancy Nails #2 (Janesville). Motion carried unanimously.
- MOTION: Danny Trotter moved, seconded by Leon Lauer, to accept the Findings of Fact, Conclusions of Law and Order in the disciplinary matters involving Darryl E. Tucker (Brown Deer). Motion carried unanimously.
- MOTION: Danny Trotter moved, seconded by Leon Lauer, to accept the Findings of Fact, Conclusions of Law and Order in the disciplinary matters involving Ngoc T. Ngan Juy Vo dba Beauty Nails of Milwaukee (Milwaukee). Motion carried unanimously.
- MOTION: Danny Trotter moved, seconded by Leon Lauer, to accept the Findings of Fact, Conclusions of Law and Order in the disciplinary matters involving

Ngoc T. Cao dba Rancy Nails #2 (Janesville). Motion carried unanimously.

MOTION: Danny Trotter moved, seconded by Leon Lauer, to accept the Findings of Fact, Conclusions of Law and Order in the disciplinary matters involving Robin M. Schulist, dba Finicky Fingers (Wauwatosa). Motion carried unanimously.

MOTION: Danny Trotter moved, seconded by Leon Lauer, to accept the Findings of Fact, Conclusions of Law and Order in the disciplinary matters involving T. Doan dba Star Nails (Waukesha). Motion carried unanimously.

MOTION: Danny Trotter moved, seconded by Leon Lauer, to accept the Findings of Fact, Conclusions of Law and Order in the disciplinary matters involving Hung P. Pham, dba Fancy Nails (Janesville). Motion carried unanimously.

MOTION: Danny Trotter moved, seconded by Leon Lauer, to accept the Findings of Fact, Conclusions of Law and Order in the disciplinary matters involving Duc Puoc Tran dba LA Nails. Motion carried unanimously.

MOTION: Danny Trotter moved, seconded by Leon Lauer, to accept the Findings of Fact, Conclusions of Law and Order in the disciplinary matters involving Larisa Tarnovsky (Bayside). Motion carried unanimously.

MOTION: Danny Trotter moved, seconded by Leon Lauer, to accept the Findings of Fact, Conclusions of Law and Order in the disciplinary matters involving Tommy Ho dba Fancy Nails (Milwaukee). Motion carried unanimously.

DISCIPLINARY ACTION

MOTION: John Fahey moved, seconded by Danny Trotter, to accept the Affidavits of Costs of the Office of Legal Services and the Division of Enforcement in the disciplinary matter concerning **GWENDOLYN M. TANNER, d/b/a NAIL NETWORK**. Motion carried unanimously.

ADJOURNMENT

MOTION: Leon Lauer moved, seconded by Danny Trotter, to adjourn the meeting at 11:45 a.m. Motion carried unanimously.

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State of Wisconsin

DEPARTMENT OF REGULATION AND LICENSING

C O R R E S P O N D E N C E / M E M O R A N D U M

DATE: November 25, 2003

TO: Clete Hansen
Alfred Hall
Roxanne Peterson

FROM: Judy Mender

SUBJECT: To Do List - 2/1/99 BC Board Meeting

1. Discuss the memo from Darwin Tichenor on bc apprentice exam statistics.
2. Student field trips
3. Apprentice School Code -- more detail as to what school attended for theory instruction. (currently all grouped into general category of 00029).
4. Modify Forfeiture Grid
5. Number of temporary permit status report.